(4)

P.R. No. 3545/06
Presented by Shri P.R. Paikara
dated 12/7/06

(2)

SINGLE BENCH

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 3484 2006

W.P.T.

PETITIONER

P.R. Paikara S/o Shri Budwar Singh Paikara, aged about 47 years, Upper Division Teacher, Govt. Middle School, Chicholi, Block & Tahsil-Kartala, District Korba (C.G).

VERSUS

RESPONDENTS

1. State of Chhattisgarh Through Secretary Education Department D.K.S. Bhavan Raipur (C.G.)
2. The Assistant Commissioner, Adivashi Vikas Korba, Dist. Korba (C.G.)
3. District Education Officer Korba Dist. Korba (C.G.)
4. Block Education Officer, Korba and Dist Korba (C.G.)
5. The Head Master, Govt. Middle School Chicholi Block & Tahsil-Kartla Dist. Korba (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE COUNSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CEERTIORARI, MANDAMUS, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERES:

(34)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.3484/ **सन् 200** 6

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

18-7-2006

Mr. R.S. Patel, counsel for the petitioner.

Mr. Sumesh Bajaj, Government Advocate for the State/ respondents, on advance copy.

Heard both the counsel, on admission.

By the instant writ petition, the petitioner has questioned the correctness of the order dated 30-6-2006 passed by respondent No.2, whereby he has been transferred under rationalization scheme, as the petitioner has been declared surplus under the rationalization scheme from the existing school.

Clause 7 of the rationalization scheme provides for provision of an appeal, if the person is aggrieved by the order. Therefore, alternative remedy is available to the petitioner and he ought to have availed the right of appeal. Therefore, the writ petition is dismissed, in limine. No order as to costs.

Consequently, M.(W.)P.No.2669/2006 stands disposed of.

Sd/-
L.C.Bhadoo
Judge

Soma

P.T.O.

21.7.06 28/7/06